

REMARKS

In the Office Action,¹ the Examiner rejected claims 1-20 under 35 U.S.C. § 102(b) as anticipated by, or in the alternative, under 35 U.S.C. § 103(a) as obvious over “Template Software.” The Examiner alleged that because the Template Software products (“SNAP”, “Workflow, and “Web Component”) work together, all the documentations for the three products including SNAP (“Using the SNAP Development Environment,” by Template Software), WEB (“Using the Web Component,” by Template Software), and TRAIN (“Foundation Template SNAP 8.0” by Template Software) constitute a single reference and can be used as the basis for a § 102(b) rejection based on anticipated by a product offering.

By this Reply, Applicants have amended claims 1, 10, 15, and 18, and canceled claims 7 and 14, without prejudice or disclaimer. Support for the amendments can be found in the specification at, for example, page 8, line 10 - page 9, line 5, and in, for example, FIG. 5. Claims 1-6, 8-13, and 15-20 are currently pending, with claims 1, 10, 15 and 18 being independent. Based on the foregoing amendments and the following remarks, Applicants respectfully request reconsideration and withdrawal of the rejection.

I. Requested Documents

The Office Action, on page 2, appears to request documents relevant to SAP Web Dynpro and SAP Dynpro. The Office Action, on page 10, however, states that the “[d]ocuments are no longer requested based on [A]pplicant’s response” to the previous

¹ The Office Action contains a number of statements and declarations reflecting characterizations of the related art and the claims. Regardless of whether any such statement is identified herein, Applicants decline to automatically subscribe to any statement, declaration, or characterization in the Office Action.

Office Action. Applicants submit that the documents are no longer required, and respectfully request that the Examiner remove the statements requesting the documents in any future Office communication.

II. § 102(b) or § 103(a) Rejection of Claims 1-20

The Examiner rejected claims 1-20 under 35 U.S.C. § 102(b) as anticipated by or, in alternative, under 35 U.S.C. § 103(a) as obvious over by “Template Software.” Office Action at 2. Applicants respectfully submit that “Template Software,” as disclosed in SNAP, WEB, and TRAIN, does not support the § 102(b) or § 103(a) rejection of claims 1-20.

Amended independent claim 1 recites, among other things, “generating a converted design-time representation of the application . . . , the converted design-time representation including one or more converted views based on the one or more application screens, and converted processing logic based on the original processing logic . . . ” and “extending the converted processing logic to perform an extended function.” SNAP does not teach or suggest the recited features, WEB does not teach or suggest the recited features, and TRAIN does not teach or suggest the recited features of amended independent claim 1. In addition, SNAP, WEB, and TRAIN, in combination, do not teach or suggest the recited features of amended independent claim 1.

SNAP does not teach or suggest “generating a converted design-time representation” of “SNAP” application. The Examiner referred to additional section of SNAP (pages 2-54 to 2-55) to support his position that SNAP teaches otherwise. Office Action at 13. Although the additional section of SNAP discloses generating HTML pages, these HTML pages are not a converted design-time representation of “SNAP”

application because these HTML pages are generated to present specification type information for the classes in “SNAP” application, i.e., a user documentation that enables a user to obtain information about the classes. Thus, these HTML pages are not converted views based on one or more SNAP screens, and instead they are merely pages that convey information about SNAP application.

In addition, even assuming *arguendo* that the SNAP generated HTML pages constitute converted views of “SNAP” application screens, SNAP teaches, at most, generating a converted design-time representation that includes only converted views, and not “converted processing logic based on the original processing logic,” as recited in amended independent claim 1. Because SNAP fails to teach or suggest generating a converted design time representation that includes “converted processing logic based on the original processing logic,” SNAP does not also teach or suggest “extending the converted processing logic to perform an extended function,” and extended which may be, for example, a function not performed by the original processing logic.

WEB fails to cure these deficiencies of SNAP. WEB discloses that “the Web Component libraries convert **SNAP application displays** to **HTML documents or Java applets for display**.” (WEB p.3-2) (emphasis added). Thus, WEB teaches, at most, generating a design-time representation of SNAP application which includes only converted views, and not “converted processing logic based on the original processing logic,” as recited in amended independent claim 1. In addition, the reference is clear that “Web Component” connects to a running “SNAP” application and “**converts the end-user request** into an event or into data that the running SNAP application understand [and] **the conversion [of the request] is transparent** to the application’s

SNAP code.” WEB at 2-10. As the conversion of the end-user request is transparent to the applicant’s SNAP code for existing “SNAP” application to understand [and thus process] the end-user request, there is no conversion of the processing logic of “SNAP” application. That is, “WEB Component” enables “SNAP” application to process an end-user request via the Internet, not by converting the processing logic of “SNAP” application, but by converting the end-user request into data that “SNAP” application can understand and process.

Because WEB fails to teach or suggest “converted processing logic based on the original processing logic,” WEB does not also teach or suggest “extending the converted processing logic to perform an extended function,” as recited in amended independent claim 1. Moreover, WEB discloses that “certain features of SNAP do not operate over the web, because of the structure and limitations of HTML and of the various web browser programs.” WEB at 2-3. Thus, even assuming *arguendo* that WEB teaches “converted processing logic based on the original processing logic,” which Applicants dispute, WEB teaches, at most, the converted processing logic performing a **limited** function of the original processing logic rather than the “converted processing logic perform[ing] an **extended** function,” as recited in amended independent claim 1 (emphasis added).

TRAIN does not cure these deficiencies of SNAP and WEB. Nowhere does TRAIN teach or suggest “generating a converted design-time representation of the application . . . the converted design-time representation including one or more converted views based on the one or more application screens, and converted processing logic based on the original processing logic” and “extending the converted

processing logic to perform an extended function,” as recited in amended independent claim 1, and the Office Action does not allege otherwise as TRAIN is relied upon only for its alleged teachings that “first programming model is client server programming model.” Office Action at 4.

For at least above reasons, SNAP, WEB, and TRAIN, taken alone or in combination, do not teach or suggest each and every element recited in amended independent claim 1. Thus, the references fail to support the § 102(b) rejection of amended independent claim 1. Accordingly, Applicants respectfully request reconsideration and withdrawal of the § 102(b) rejection of amended independent claim 1 based on SNAP, WEB, and TRAIN.

In addition, a *prima facie* case of obviousness has not been established with respect to amended independent claim 1. “The key to supporting any rejection under 35 U.S.C. § 103 is the clear articulation of the reason(s) why the claimed invention would have been obvious. . . . [R]ejections on obviousness cannot be sustained with mere conclusory statements.” M.P.E.P. § 2142, 8th Ed., Rev. 6 (Sept. 2007) (internal citation and inner quotation omitted). “The mere fact that references can be combined or modified does not render the resultant combination obvious unless the results would have been predictable to one of ordinary skill in the art.” M.P.E.P. § 2143.01(III) (emphasis in original). “All words in a claim must be considered in judging the patentability of that claim against the prior art.” M.P.E.P. § 2143.03. “In determining the differences between the prior art and the claims, the question under 35 U.S.C. § 103 is not whether the differences themselves would have been obvious, but whether the

claimed invention as a whole would have been obvious.” M.P.E.P. § 2141.02(I)
(emphases in original).

“[T]he framework for objective analysis for determining obviousness under 35 U.S.C. § 103 is stated in *Graham v. John Deere Co.*, 383 U.S. 1, 148 U.S.P.Q. 459 (1966). . . . The factual inquiries . . . [include determining the scope and content of the prior art and] . . . [a]scertaining the differences between the claimed invention and the prior art.” M.P.E.P. § 2141(II). “Office personnel must explain why the difference(s) between the prior art and the claimed invention would have been obvious to one of ordinary skill in the art.” M.P.E.P. § 2141(III).

In view of the above-noted deficiencies of the three SNAP, WEB, and TRAIN references, the Office Action has neither properly determined the scope and content of the prior art nor properly ascertained the differences between the prior art and the invention of amended independent claim 1. Thus, the Office Action has failed to clearly articulate a reason why claim 1 would have been obvious to one of ordinary skill in the art in view of the prior art. Accordingly, a *prima facie* case of obviousness has not been established with respect to amended independent claim 1. Applicants respectfully request reconsideration and withdrawal of the § 103(a) rejection of amended independent claim 1 based on SNAP, WEB, and TRAIN.

Although of different scope, amended independent claims 10, 15, and 18 recite features that are similar to the features recited in amended independent claim 1. For reasons similar to those set forth above with respect to amended independent claim 1, SNAP, WEB, and TRAIN do not support the § 102(b) or § 103(a) rejection of amended independent claims 10, 15 and 18. Accordingly, Applicants respectfully request

reconsideration and withdrawal of the § 102(b) and § 103(a) rejections of claims 10, 15, and 18 based on SNAP, WEB, and TRAIN.

Claims 3-6, 8, and 9 depend from claim 1; claims 11-13 depend from claim 10; claim 17 depends from claim 15; and claim 20 depends from claim 18. Thus, dependent claims 3-6, 8, 9, 11-13, 17, and 20 are allowable by virtue of their dependence from an allowable independent claim. Accordingly, Applicants respectfully request reconsideration and withdrawal of the § 102 and § 103(a) rejections of claims 3-6, 8, 9, 11-13, 17, and 20 based on SNAP, WEB, and TRAIN.

Furthermore, with respect to the § 102(b) rejection, the Examiner alleged that because Template Software products “SNAP,” “Workflow,” and “Web Component” work together, “they constitute a single reference and can be used as the basis for a rejection based on anticipated by a product offering.” Office Action at 4. The Examiner asserted that “[t]he person of ordinary skill is hypothetical person who is presumed to be aware of all the pertinent prior art.” Office Action at 11 (citing *Customer Accessories Inc. v. Jeffrey-Allan Ind. Inc.*, 1 USPQ2d 1196 (Fed. Cir. 1986)). The Examiner further asserted that “[t]he hypothetical person skilled in the art is attributed with knowledge of all prior art in the field of the inventor’s endeavor and of prior art solutions for a common problem even if outside of that field - and not of all prior art.” Id. (citing *In re Nilssen*, 7 USPQ2d 1500 (Fed. Cir. 1998)).

Applicants submit that Applicants are not arguing that SNAP, WEB, and TRAIN are improper references under 35 U.S.C. § 103(a). Instead, Applicants submit that three references do not constitute a single reference for the basis of §102 rejection merely because three software products work together or have “*dependency*”

for installation,” as asserted or declared by the Examiner. The current law does not support the Examiner’s position. “An ‘*anticipating*’ reference must describe all of the elements and limitations of the claim *in a single reference*, and enable one skill in the field of the invention to make and use the claimed invention.” *Merck & Co. v. Teva Pharms. USA, Inc.*, 347 F.3d 1367, 1372 (Fed. Cir. 2003) (emphasis added).

“Anticipation under 35 U.S.C. § 102 requires that *a single prior art reference* disclose each and every limitation of the claimed invention.” *Moba B.V. v. Diamond Automation, Inc.*, 325 F.3d 1306, 1322 (Fed. Cir. 2003) (emphasis added). Because the Examiner has not established that *three* references can constitute a single reference for the basis of § 102 rejection, Applicants submit that the § 102(b) rejection of claims 1-20 is improper, and for these additional reasons, respectfully request withdrawal of the § 102(b) rejection of claims 1-6, 8-13, and 15-20 based on SNAP, WEB, and TRAIN.

III. **Conclusion**

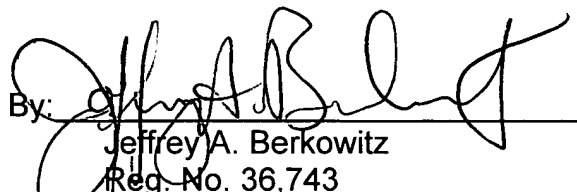
In view of the foregoing amendments and remarks, Applicants respectfully request reconsideration of this application and the timely allowance of the pending claims.

Please grant any extensions of time required to enter this response and charge any additional required fees to our Deposit Account No. 06-0916.

Respectfully submitted,

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Dated: May 5, 2008

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